| From: | Timothy Bailey |
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| To: | Microsoft ATR |
| Date: | 1/20/02 9:35pm |
| Subject: | Public Comment on Microsoft ruling |

In deciding a penalty for Microsoft, I feel that it must be something that actually causes a penalty, not like the settlement reached last fall.

I am a computer professional with a BS in Computer Science and Engineering. I have worked in the industry for almost eight years, and was a follower or it for many years beforehand. I have used many versions of Windows in that time, so I am quite familiar with the product and how Microsoft does business.

I feel that since Microsoft was found to be an illegal monopoly, it should be treated in a manner that will weaken its ability to maintain (and/or regain) said monopoly. Unlike the actions against Standard Oil and AT&T, I feel that it would be too problematic to split Microsoft into two (or more) portions.

However, an appropriate penalty, in my view, must:

* Disallow contractual obligations with computer manufacturers that require a payment be made to Microsoft for every computer sold, no matter whether a Microsoft product is installed on that computer. For example, if IBM sells a computer with Linux installed as its operating system, no payment need be made to Microsoft.

* Allow computer manufacturers to customize the appearance of the Windows operating system; for example, they may remove the Internet Explorer icon from the desktop on the computers that they sell.

* Consider Internet Explorer and similar add-ons to Windows as add-ons and not integral parts of it; if a computer manufacturer wishes to sell computers without such add-ons, they should be allowed to do so. Additionally, the manufacturers should be allowed to include whatever other software they choose (for example, the Netscape Internet browser).

* Force an appropriate charge for Microsoft products, rather than having them thrown in free or at a reduced cost. Also, those products must be available without the computer for that price differential. For example, if a computer without an operating system costs $100, with Windows costs $110, and with Windows and Word costs $115, then that computer seller must make Windows by itself available for $10, and Word for $5. (These prices, of course, are theoretical.)

* Force Microsoft to fully and publicly document all of the APIs for

Windows; the "hidden" APIs have allowed other Microsoft products
(Word, Excel, etc.) to have an unfair speed and functionality
advantage.

* Force Microsoft to fully and publicly document all of its file
formats, so that other companies can publish software that can read
and write them as well. (For example, so that another company can
create their own word processor that can read and write Word-format
documents without any intermediate translator programs required.

* Make certain that all networking protocols in Microsoft products
are fully documented and approved by an independent network protocol
body before being released in a product. Preferentially, they should
use public protocols instead.

* Keep Microsoft from announcing products months before release, in a
tactic to drive other companies out of business. (Microsoft has, in
the past, announced products with apparently the sole purpose of
keeping consumers from buying a competing product - then, the
Microsoft product either was quite late, or never materialized in the
market.)

* Force Microsoft to pay much more attention to security concerns;
Internet Explorer, and Outlook (for example) should ship with the
most restrictive security settings be default, and indeed, should
have a much better ability to defeat viruses and worms than they do.

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    Tim Bailey       |\/   "Be bold and mighty powers will come to your
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  telestro@earthlink.net |            -- Basil King
  http://www.moonrise.org
  --'--,--<@   @>--`--,--        ------------==== >@< ====------------
  ------(36,140 days to)-----       ----------=== >@< ===---------
  -----(the new Century!)----        ------== >@< ==------
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